

**SUMMARY OF THE
NELAC BOARD OF DIRECTORS TELECONFERENCE
March 18, 1997**

The Board of Directors of the National Environmental Laboratory Accreditation Conference (NELAC) convened by teleconference on Tuesday, March 18, 1997, at 1:30 p.m. EST. The Board meeting was led by its chair, Dr. Eldert C. Hartwig, Jr., of the FL Department of Health and Rehabilitative Services. A list of action items is provided in Attachment A. A list of participants is given in Attachment B. Materials distributed to the Board included the draft agenda, comments on the latest proposed policies (Attachment C), and comments gathered by Dr. Barbara Erickson on NELAC implementation.

ACCREDITING AUTHORITIES

Mr. John Anderson reported on revising Chapter 6. He stated that the revised Chapter will be ready by the middle of April. Requirements for the EPA/State team for approval of accrediting authorities has been modified to allow a more flexible mix of State and Federal assessors. In regard to 3rd Party MOUs, the Committee has received no comments on the existing language in the Chapter and will retain the use of the term “contracting.”

COMMENTS ON POLICY STATEMENTS

Revision of Standards: Ms. Jeanne Mourrain discussed the policy on revision of standards after approval by NELAC. After considering comments from the state of Illinois, Dr. Hartwig asked the members to vote on (1) accepting the policy as proposed; (2) proposing the policy for discussion at the Annual Meeting; or (3) rejecting the policy. The members voted for the policy as proposed.

Primary Responsibility for Standards: Ms. Mourrain stated that the only comments that she received were from Illinois. Revision on the wording of item two was discussed. Ms. Mourrain and Mr. Anderson will make editorial changes.

NOMINATING COMMITTEE REPORT

Dr. Robert Stephens reported that one candidate has been identified as a potential nominee and that the committee is working to identify others. Dr. Stephens asked that members provide him with names of other possible nominees. Ms. Bourchard noted that the nominees should be identified at the time of the meeting announcement, or at least 90 days preceding the Annual Meeting.

FIELD MEASUREMENTS - CHARGE, STATUS, STANDING COMMITTEE

The charge to the Committee was discussed regarding sampling and field testing and the increase in field analytical work. The OMB limits on passing out a questionnaire on field testing at the next Annual Meeting was discussed. Ms. Mourrain is to check with the Office of General Counsel about the survey being distributed by the state of California. Dr. Hartwig suggested that criteria for a standing committee be developed by the Program Policy and Structure Committee.

REPORT FROM THE CONFERENCE MANAGEMENT COMMITTEE

Marion Thompson, Chair of the Conference Management Committee reported on the status of the arrangements for the next conference meeting. The Committee requested a decision on whether exhibits or sponsorship for food would be allowed. It was agreed that exhibits were possible but that sponsorship for food should be eschewed for the present time. Also, the waiver of registration fees needed to be decided on. It was agreed that the only waivers would be for guest speakers or hardship cases - five (5) at the most. A general discussion on the registration fee was discussed with the consensus that the higher the fee, the fewer participants, and, to a certain extent, the lower the registration fee, the more participants one can expect.

NCSL SURVEY AND RELATIONSHIP WITH GOVERNORS

It was decided that a letter to the governors regarding NELAC and its activities would go out at the same time the letters to the legislators went out. This would keep the Governors updated on NELAC's interactions with the legislators. It was suggested that Dr. Michael Volz add this to the letter being prepared for the Annual Meeting. Ms. Jeanne Mourrain to follow up with Dr. Volz.

COMMENTS FROM STATES RE NELAC

Mr. Ted Coopwood has contacted several state officials to identify implementation issues for the States. Mr. Coopwood will coordinate this effort and present these findings to the newly formed "Ad Hoc" Transition Committee, which will convene its first meeting on March 27 at 1:00 p.m. EST.

UPDATE ON NELAC III

Ms. Carol Batterton reported that the postcards with instructions for reservations, etc. on the next meeting have gone out. The registration fee will be \$100 and April 7 is the deadline for the tentative agenda. She hopes to have the final brochure in the mail by the first week in May. Ms. Mourrain announced that Ms. Jane Saginaw, Regional Administrator for Region 6 has been asked to be the Keynote Speaker. Confirmation from Ms. Saginaw's office on her availability is expected within a week.

EMMC POLICY COUNCIL AGENDA

The next EMMC meeting will be held on Friday, March 21. It was not possible to include NELAC on the agenda, but the next meeting, which has not been scheduled at this time, will include both a presentation from NELAC and ELAB. Dr. Hartwig stated that he had written Mr. Tom Clark on the states' support for a single oversight body for the externalization of the PE program. A letter had also been sent to Dr. Huggett from Ms. Virginia Wetherell, Secretary, Florida Department of Environmental Protection, encouraging a single oversight body and the use of the NELAC proficiency testing (PT) standards.

MEETING WITH STATE AGRICULTURE LABORATORIES

Mr. Coopwood summarized the results of a meeting between Ms. Ramona Trovato and the American Association of Pesticide Control Officials last week. Ms. Trovato asks that the Board address their concerns by relaying to Committee Chairs the names of individuals available for committee membership and information on the Internet sites, including names of Committee Chairs, standards etc.

OTHER ITEMS

Mr. Coopwood gave an update on Assessor Training. Discussions are on going to identify the needs and solutions, i.e., timing, training models funding issues, and criteria for assessors.

Dr. Belinda Collins, NIST, has resigned. A discussion followed regarding whether her replacement should come from NIST or another Agency. In addition, Mr. Coopwood will speak with current members to determine which member is willing to rotate off the Board for the next term. Ms. Mourrain suggested that any nominees to replace Dr. Collins be sent to Dr. Hartwig by the 25th of March.

Ms. Pauline Bouchard has not received confirmation of a publication date from "Today's Chemist at Work." The article has been mailed but the earliest publication date will be the May issue.

Ms. Mourrain announced that she had been notified of Harvard's receipt of the application for the Innovations in American Government Award. She should hear within the month if NELAC is a semifinalist.

ACTION ITEMS
Board of Directors Teleconference
March 18, 1997

Item No.	ACTION	Date Completed
1.	Ms. Mourrain and Mr. Anderson will make editorial changes regarding the policy on primary responsibility for standards.	
2.	All Board Members were asked to provide Dr. Stephens with the names of possible nominees for member-at-large on the Board.	
3.	Ms. Mourrain is to check with the Office of General Counsel about a survey on field testing being distributed by the state of California at the next Annual Meeting.	
4.	Dr. Hartwig will notify The Program Policy and Structure Committee to develop criteria for standing committees.	
5.	Ms. Mourrain will notify Dr. Michael Volz regarding information to be provided to the Governors on NCSL survey.	
6.	Mr. Coopwood will relay to Committee Chairs the names of individuals from AAPO available for committee membership and provide requested information to AAPCO.	
7.	Mr. Coopwood will speak with current members to determine which member is willing to rotate off the Board for the next term.	

LIST OF PARTICIPANTS
Board of Directors Teleconference
March 18, 1997

Name	Affiliation	Phone Numbers
Charles Hartwig, Chair	FL Department of Health & Rehabilitative Services	Tel: 904-791-1550 FAX: 904-791-1567 E-mail: charles_hartwig@dcf.state.fl.us
John Anderson (Invited Speaker)	Illinois EPA	Tel: 217-782-6455 Fax: 217-524-0944 E-mail: epa6103@epa.state.il.us
Carol Batterton	TX Natural Resources Conservation Commission	Tel: 512-239-6300 Fax: 512-239-6307 E-mail: cbattert@smtpgate.tnrcc.state.tx
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Jerry Bundy (Representing Joe Aiello)	NJ DEP	Tel: 609-633-3840 Fax: 609-777-1774 E-mail: jaiello@dep.state.nj.us
Belinda Collins (Absent - resigned)	NIST	Tel: 301-975-4000 Fax: 301-963-2871 E-mail: bcollins@nist.gov
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Russ Wright (Absent)	USEPA	Tel: 706-355-8505 Fax: 706-355-8508 E-mail: wright.russell@epamail.epa.gov

**Illinois Environmental Protection Agency
Division of Laboratories
March 13, 1997**

**Comments on Proposed-NELAC Policy on
Revision of Standards**

The Illinois EPA does not understand the necessity of the proposed NELAC Policy on Revisions to Standards. We agree that stability in the standards is important. However, the present NELAC systems, as set forth in the Constitution and By-Laws, have adequate checks and balances in place to assure stability in the standards. The present NELAC Committee process and NELAC voting process should be allowed to work. We believe that if critical revisions to the standards prove necessary after initial adoption, we should let the Conference decide whether or not the changes should be adopted immediately or if adoption can be delayed. We believe that most members of the House of Representatives and the House of Delegates would not vote for changes that might unduly hinder their own NELAP implementation. For the most part, these two groups are comprised of the same people who will have to implement changes in the NELAC Standards, so let them continue to have the main say as to what gets changed or not changed.

We believe the proposed policy is too restrictive in nature and places too much authority within the Board of Directors. The proposed policy would erode the role of House of Representatives and the House of Delegates. Further, Illinois believes the proposed policy conflicts with the intent and language found in the NELAC Constitution and By-Laws with regard to motions and voting.

Finally, if a concern exists that a change in the NELAC standards could require frequent rule-making or legislative actions by an accrediting authority, standards in Chapter 6 at 6.3.3(h)(4) allow accrediting authorities up to two years following an application for renewal of NELAP recognition to make needed changes. As a practical matter, an accrediting authority could make the needed changes every two to four years depending upon the proximity of the changes in the standards to their scheduled date for renewal of NELAP recognition. Thus, it appears that, only in rare instances, would an accrediting authority be forced to make rule changes more often than once every three years.

Policy on Primary Responsibility for Standards

Each standing committee addresses a specific area of accreditation. However, there may be ~~are many~~ overlaps among the committees on elements of the standards ~~certain issues~~. One of the primary goals of NELAC is to eliminate duplication and potential conflict among the standards, both internally and as implemented by the accrediting authorities. The following procedures are designed to assure that the standards are consistent among themselves and that revisions in one standard do not render sections of other standards obsolete.

1. Each committee chair should identify those portions of his or her committee's standards which contain information that is the primary responsibility of another standing committee. The Chair also should report such findings to the Coordinating Committee.
2. ~~Each~~ The Coordinating Committee chair should review all ~~other~~ standards to assure that ~~no~~ the other standards ~~do not~~ contains pertinent information which would affect another ~~their~~ own committee's standards. The Coordinating Committee shall bring the results of their review to the respective committees and recommend which committee has primary responsibility.
3. Committee chairs or the Coordinating Committee may request support personnel from the NELAC Executive Secretary to assist in these tasks. (Support will be dependent on available resources.)
4. Any disputes on the proper ~~committee~~ location of specific standards issues should be resolved between committee chairs. In the case of unresolved disputes, the NELAC ~~PC~~ Director and Chairperson of the NELAC Board of Directors will resolve the dispute ~~serve as mediators~~.
5. Each Chapter, when necessary, ~~Committees standards~~ should reference the appropriate standard language in other NELAC Chapters for the specifics ~~on issues~~ standards which are the primary responsibility of another committee. In this way, any changes in a standard by one committee will be automatically accommodated in any other standard committee which references ~~needs to refer to~~ that specific standard issue.
6. Direct quotes or summaries of other NELAC standards are not recommended because of the possibility of obsolescence in the case of changes. If a direct quote or summary is deemed necessary to a complete understanding of some section of the standards, the direct quotation or summary should be clearly identified and reference the source. A written record of any such direct quotation or summary should be kept by the chairs of the affected committees. In this way, if the committee with primary responsibility makes any changes to that section, there will be a flag to notify any committee which has quoted that section. Both, or all, committees must assure that their voting agendas at the Annual Meeting reflect the proposed changes.

